

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/846,727
 Inventor: Craig R. Malloy et al.
 Filing Date: May 1, 2001
 Title: MEASUREMENT OF GLUCONEOGENESIS AND
 INTERMEDIARY METABOLISM USING STABLE ISOTOPES
 Group Art Unit: 1743
 Examiner: Monique T. Cole

Mail Stop: Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

CERTIFICATION OF MAILING UNDER 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450 on February 2, 2006.

Stella E. Laicer
 Stella E. Laicer

ASSOCIATE POWER OF ATTORNEY

Sir:

I, Kay Lyn Schwartz, Registration No. 39,020, hereby appoint Monique A. Vander Molen, Registration No. 53,716, whose address is 3000 Thanksgiving Tower, 1601 Elm Street, Dallas, Texas 75201, as an associate attorney or agent in the above-identified application for United States Letters Patent, with full power to prosecute this application, to make alterations and amendments thereto, and to transact all business in the United States Patent and Trademark Office connected therewith.

Respectfully submitted,

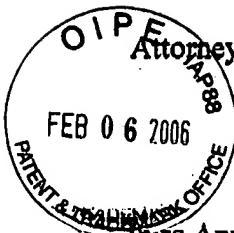
GARDERE WYNNE SEWELL LLP

Kay Lyn Sc

Kay Lyn Schwartz
 Reg. No. 39,020
 ATTORNEY FOR APPLICANTS

Date: February 2, 2006

1601 Elm Street, Suite 3000
 Dallas, Texas 75201
 Telephone: (214) 999-3000
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Attorney Docket No.: 119929-1031

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re Application of: Craig R. Malloy, A. Dean
Sherry and John G. Jones

Serial No.: 09/846,727

Filed: May 1, 2001

Examiner: Not Yet Known

Group Art Unit: 1743

Attorney Docket No.: 119929-1031

**MEASUREMENT OF GLUCONEOGENESIS AND
INTERMEDIARY METABOLISM USING STABLE ISOTOPES****ELECTION UNDER 37 C.F.R. §§ 3.71 and 3.73
AND POWER OF ATTORNEY****BOX: ASSIGNMENT**

Commissioner for Patents

and Trademarks

Washington, D.C. 20231

Sir:

The undersigned, being Assignee of record of the entire interest in the above-identified application by virtue of an assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventor.

The Assignee hereby revokes any previous Powers of Attorney and appoints Sanford E. Warren, Jr., Reg. No. 33,219; Theodore F. Shiells, Reg. No. 31,569; Edwin S. Flores, Reg. No. 38,453; Kay Lyn Schwartz, Reg. No. 39,020; Daniel J. Chalker, Reg. No. 40,552; Todd E. Landis, 44,200; Kenneth T. Emanuelson, Reg. No. 46,684; Madelynne J. Farber, Reg. No. 45,410; Thomas C. Wright, Reg. No. 47,189 each an attorney or agent of the firm of GARDERE WYNNE SEWELL LLP, as its attorney or agent for so long as they remain with such firm, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to Board of Regents, The University of Texas System, referenced

Attorney Docket No.: 119929-1031

PATENT

below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Please direct all communications as follows:

Edwin S. Flores, Esq.
GARDERE WYNNE SEWELL LLP
3000 Thanksgiving Tower
1601 Elm Street
Dallas, Texas 75201-4761

ASSIGNEE:

BOARD OF REGENTS,
THE UNIVERSITY OF TEXAS SYSTEM

By: Cullen M. Godfrey
Name: Cullen M. Godfrey
Title: Vice Chancellor
and General Counsel

Date: August 23, 2001

ASSIGNMENT:

- X Concurrently filed
 Previously recorded
Date:
Reel:
Frame:

PATENT

ASSIGNMENT

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, sufficiency and adequacy of which are hereby acknowledged, the undersigned, **Craig R. Malloy, A. Dean Sherry and John G. Jones**, hereby:

SELLS, ASSIGNS AND TRANSFERS to Board of Regents, The University of Texas System (the "Assignee"), a university, having a place of business at 201 West 7th Street, Austin, Texas 78701, the entire right, title and interest for the United States and all foreign countries in and to any and all improvements which are disclosed in the application for United States Letters Patent, which has been executed by the undersigned concurrently herewith and is entitled: **MEASUREMENT OF GLUCONEOGENESIS AND INTERMEDIARY METABOLISM USING STABLE ISOTOPES** such application and all divisional, continuing, substitute, renewal, reissue and all other applications for patent which have been or shall be filed in the United States and all foreign countries on any of such improvements; all original and reissued patents which have been or shall be issued in the United States and all foreign countries on such improvements; and specifically including the right to file foreign applications under the provisions of any convention or treaty and claim priority based on such application in the United States;

AUTHORIZE AND REQUEST the issuing authority to issue any and all United States and foreign patents granted on such improvements to the Assignee;

WARRANT AND COVENANT that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by the undersigned;

COVENANT, when requested and at the expense of the Assignee, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all such improvements; execute all rightful oaths, declarations, assignments, powers of attorney and other papers; communicate to the Assignee all facts known to the undersigned relating to such improvements and the history thereof; and generally do everything possible which the Assignee shall consider desirable for vesting title to such improvements in the Assignee, and for securing, maintaining and enforcing proper patent protection for such improvements;

TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

(Signature) Craig Malloy
Name: **Craig R. Malloy**

Date August 7, 2001

STATE OF TEXAS)
COUNTY OF Dallas)

BEFORE ME, the undersigned authority, on this 7th day of August, 2001, personally appeared **Craig R. Malloy**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

[SEAL]



Janet Leigh Thach
Notary or Consular Officer

TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

(Signature)

Name:

A. Dean Sherry Date August 7, 2001

A. Dean Sherry

STATE OF TEXAS)

COUNTY OF Dallas)

[SEAL]



Janet Leigh Thach

Notary or Consular Officer

TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

(Signature) _____ Date _____
Name: **John G. Jones**

STATE OF TEXAS)
)
COUNTY OF _____)

BEFORE ME, the undersigned authority, on this _____ day of August, 2001, personally appeared **John G. Jones**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Notary or Consular Officer

[SEAL]

PATENT

A S S I G N M E N T

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, sufficiency and adequacy of which are hereby acknowledged, the undersigned, **Craig R. Malloy, A. Dean Sherry and John G. Jones**, hereby:

SELLS, ASSIGNS AND TRANSFERS to Board of Regents, The University of Texas System (the "Assignee"), a university, having a place of business at 201 West 7th Street, Austin, Texas 78701, the entire right, title and interest for the United States and all foreign countries in and to any and all improvements which are disclosed in the application for United States Letters Patent, which has been executed by the undersigned concurrently herewith and is entitled: **MEASUREMENT OF GLUCONEOGENESIS AND INTERMEDIARY METABOLISM USING STABLE ISOTOPES** such application and all divisional, continuing, substitute, renewal, reissue and all other applications for patent which have been or shall be filed in the United States and all foreign countries on any of such improvements; all original and reissued patents which have been or shall be issued in the United States and all foreign countries on such improvements; and specifically including the right to file foreign applications under the provisions of any convention or treaty and claim priority based on such application in the United States;

AUTHORIZE AND REQUEST the issuing authority to issue any and all United States and foreign patents granted on such improvements to the Assignee;

WARRANT AND COVENANT that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by the undersigned;

COVENANT, when requested and at the expense of the Assignee, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all such improvements; execute all rightful oaths, declarations, assignments, powers of attorney and other papers; communicate to the Assignee all facts known to the undersigned relating to such improvements and the history thereof; and generally do everything possible which the Assignee shall consider desirable for vesting title to such improvements in the Assignee, and for securing, maintaining and enforcing proper patent protection for such improvements;

TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

(Signature) _____ Date _____

Name: **Craig R. Malloy**

STATE OF TEXAS)

)

COUNTY OF _____)

BEFORE ME, the undersigned authority, on this _____ day of August, 2001, personally appeared **Craig R. Malloy**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Notary or Consular Officer

[SEAL]

TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

(Signature) _____ Date _____

Name: A. Dean Sherry

STATE OF TEXAS)

)

COUNTY OF _____)

BEFORE ME, the undersigned authority, on this _____ day of August, 2001, personally appeared A. Dean Sherry, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Notary or Consular Officer

[SEAL]

TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

(Signature) John G. Jones Date AUG 16 2001

Name: John G. Jones

STATE OF TEXAS)

)

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COUNTY OF _____)

BEFORE ME, the undersigned authority, on this _____ day of August, 2001, personally appeared John G. Jones, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Notary or Consular Officer

[SEAL]